App. I. IX-4

1933-84
(Aug)

Aug File No. 192-33

Previous References

~~Aug~~ ~~192-33-1-2~~

Aug 192-33-1-2

Serial Nos

Letter References.

Aug 87-35-1-2

21 132-46-1-2

262-52 (1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 1-7

Part B for December 1985

SUBJECT.

Appeal of Naib Venkata Rao
re: the assumption of management
of the endowed lands endowed to the
Bhattaraka at Bheemana Katte
Krishnarajanagar Taluk

No 693

28-11-85

WD 03607—GPB—YYMDD—2 8-35

Mug Review

General and Revenue Secretariat 1112 File No. 192 of 1933-4 [App. F. III—2

Serial No.	
3	Petition dt 13-5-34 filed by Mr. M. Narayana Rao M.A. B.L. Advocate Bangalore City on behalf of his client Mr Naib Venkatarao Chavadi Street old Agrahar Mysore praying for a review of G.O no 1112-3/Mug 192-33-2 dt 20/4/34 directing that the Challenam on Dharmadaya Inams endowed thereto be brought under the Management of Govt.
4	Another petition dt 13-5-34 filed by the same advocate on behalf of the petitioners praying for a stay of the order passed in the subject Number cited.

2nd P.U.R. :—

: Stay order Cannot be granted (2) D/P. Submd for orders. After issue the file to be received & closed —

GV 28/5

Done draft 1/5/34

TYPING SECTION, 29 MAY 1934 GENL & REV SECTT.

5	No 1573 dt 30-5-34 from Mr M. Narayana Rao Advocate for the petitioners intimating that the request for a stay of the order passed cannot be granted.

No 1574 dt 30/5/34 to Mr Venkata Venkata Rao No 456 Chavadi Street old Agrahara Mysore

NOTE—Contn Sheet

WD 0434—GPB—15,000—12-10-33

Mng Revenue Bd

Mng File No. 192 of 1933-4. | General and Revenue Secretariat

Serial No.

forwarding Copy of the above for information.

ie Review Petn - is sufficiently stamped & prepared in time.

The Factors in Case are as set forth in the preamble of the D.C's decision 681/29-30 - The Dist Report of 29.7.31 shows how the affairs of the Chalkam are mismanaged. × 7.

1) The grounds urged by the petitioner are as follows:— × L

i) That he was not given able Chance to manage the mots

ii) That as there was no Complaint re: The alleged mismanagement, no enquiry by a Mng Tribunal under Sec 17 of the Mng Regn was necessary.

iii) That the requisition to execute works of repair is vague, as it Contains no details.

2) As regards i) it may be stated That as an elderly member of the family he is responsible for the upkeep of the Tarwad, the accounts pertaining to the same being produced & examined & the same well managed - As seen para 13 of the preamble of the D.C's decision × E - the petr was served with a notice

Serial No.

to redeem the [illegible] on
[illegible] abreh Executive Engr &
repairs. allowed for this year
six months. In spite this, no work
has done by him & he is not found
to have been Contd. even though his
a reply to the through the
period of six months allowed [illegible]
As regards ii) it is not necessary
that a Complaint or this kind should be
lodged from the Grantors. From
the Agreement referred and the note
it is clear that the authority is in a
neglected Contractor requiring immediate
expenditure of Rs 5000 for
for repairs, i.e. to be taken
& Co/penditure are not mean
& that case of in Para
lands are allowed to change
hands, there being proved instance
of misuse etc. In the case of
this the Contention of
is not tenable

ii) As regards iii) it is not for
the Mng. Officers to [illegible]
a detailed estimate of
necessary repairs &c. & c. but the
hand when the notice was served
which as 11/6/32 I was
six months time

NOTE—Contn Sheet

WD 0434—GPB—15,000—12-10-33

File No. of 193 | General and Revenue Secretariat

Serial No.

explanation refd to above, ie Shall
noted briefly to see right
the despatch. Circumstances
of case a matter for consideration
whether the request of the petr
is deserving enough so as to call
for records which can be noted
for a hearing. in the Raiwa
[when there is no request to hear the petitioner].

The petitioners request for a stay order
as not been granted.

The records may perhaps be called
for and the party heard

H-Secy.) Recd 1/6/34
2nd Advr) 1/6

1/6
15/6

OFFICE OF THE SECOND MEMBER OF COUNCIL. 13 JUNE 1934 NO 938

16 Memo of forwarding letter etc on
the P. under for Hons signature

15/6

17) 16/6

Petn sent to M.C for submission
records with no 1646 of 18-6-34.
Letter no 1684/35-34 of 28/8/1934
from the Mysore Commissioner forwarding

Hug Rev no 34 of 1933-34

re: Chunchanakatte Narasa Nayaka
Devasthanam The petition

[App. F. III—2

General and Revenue Secretariat — File No. 192 of 1933.

Serial No.	
	records connected with the case and states that the circumstances under which the management of the endowed lands was recommended to be assumed by Govt are contained in the Deputy Commissioner's order of 8/11/33.
18	The petitioner Naik Venkata Rao requests for a reconsideration of Govt no 1112-3 / Misc 192-33-2 at Chunchanakatte
	& the lands endowed thereto be restored under
	been heard before
	& the case magy
	Govt 11/3
	Please put up a note as mentioned. 5/10/33

NOTE—Contn. Sheet.

WD 0484—GPB—15,000—12 10-33

File No.	of 193	General and Revenue Secretariat
		Serial No.

No 340 1933-34

Renewal the management of the Chattaram & the Inam Lands enclosed therefor

General and Revenue Secretariat

File No. 192 of 1933 [App. F. III—

Serial No.

In G.O. No. 1112-3/Muz. 192-33-2 dated 20th February 1934 sanction was accorded to the assumption of the management of the late Naib Narayana Rao's Chattaram at Chunchanakatta, Yedatore Taluk and the properties belonging to it by Government on the ground of the institution having been mismanaged as set forth in the premable of the Mysore Deputy Commissioner's Order of 8th November 1933 in Muzrai Mis. Case No. 68129-30 on the file of his Court.

The petitioner has filed a review petition for a reconsideration of the Government Order referred to above for a chance being given him to manage the institution.

The grounds urged by him are as follows:-

(i) that his rights for managing the institution have not been considered though he represents the eldest line of the founders and that in fact no chance was given him to manage the institution,

(ii) that there is no word of complaint said or allegation made regarding the alleged mismanagement.

(iii) that the proceedings were set afoot by the Muzra Commissioner in pursuance of a scheme for the abolition of anna chattrams in the State and that if the continuance of the chattram is considered unnecessary the premises ought to revert to the petitioners failing which their rights would be jeopardised,

(iv) that they would be entitled to hold the lands freed from their present tenure and as fully assessed,

WD 01955—GPB—22 500—12-6-34

the chattram is discontinued,

(v) that there has been no case of alienation excepting the permanent lease of S.No.4 measuring 3 acres and situated at Sonabinakuppe and that he is prepared to have the land redeemed at a cost not exceeding Rs. 75/-,

(vi) that the requisition to execute works of repair is vague in the absence of details, that it is not equitable and fair to call upon them to spend 4 to 5 thousand rupees in view of the scanty income of Rs. 175/- per annum,

(vii) that a half of the chattram building will come down is not true; the building as a whole is sound and fit, and does not cost 4 to 5 thousand rupees as estimated and that if the Taluk Officer is ordered to give an estimate, it could be easily attended to,

viii) that Naib Raja Rao attained majority just on 4th April 1933 and that it has not been possible to effect arrangements inter se between them in respect of the management, that some delay in doing the needful was unavoidable and it is not just to penalise the parties on that account.

5) Re. (i) It is clear from the Deputy Commissioner's order of 8th November 1933 that the management of the chattram vested in the petitioner Naib Raja Rao who is known to have attained majority on 4th April 1933 and that the petitioner has no manner of claim.

Re (ii) The following are stated by the Muzrai Office to be acts of mismanagement:- (1) the previous manager permanently leased out the S.No.4 of Sonabinakuppe village endowed to the chattram for payment to him of the bare assessment levied

Serial No.

on the land,

(2) that a portion of the building which required repairs was pointed out to the relations of Mr. Naib Raja Rao, that the latter undertook the repairs about three or 4 years ago but have failed to do the work completely and that since then no further repairs were effected.

(3) that in spite of the resurvey and the consequent ~~of the~~ revised assessment the managers have continued to collect assessment as per old rates much to the disadvantage of the institution.

(4) The accounts produced by the Agent were not satisfactory for the following reasons.-

Mr. N.K. Srinivasa Rao (the then Sub Judge and guardian of Mr. Naib Raja Rao) and the petitioner were served with notices on 11th June 1932 and were given time for six months to redeem the alienated lands, lease them afresh, and execute necessary repairs, ~~and~~ It is ~~found~~ reported that they did not ~~repair~~ respond even after the expiry of six months.

(1) All the endowed lands were not shown in the accounts and the arrears of rent ~~at Mysore~~ outstanding against the tenants ~~was~~ were not noted. (The tenants are allowed to mortgage or sell the Inam lands to other persons treating them as if they were their own private properties.

Re. (iii) (iv) The Dharmadaya Inam lands were no doubt granted for the upkeep of the chattram and the musafirkha-

WD 01955—GPB—22500—12-6-34

built by the ancestors at Chunchanakatte on the road leading to Subrahmanya, Talakaveri etc. There is no question of discontinuing the chattram and the question of the premises reverting to the petitioner and the lands being given to him on full assessment would not also arise.

As regards (v) Six months' time was given to the -- relatives of Mr. Naib Raja Rao and also to the petitioner to attend to this and no reply in fact came forth from them though the period of six months elapsed.

Re. (vi) and (viii). When the Executive Engineer inspected the building with the Amildar, he expressed that 4 to 5 thousand rupees would be required to effect the urgent repairs of the building. The conduct of santharpane every year for 3 or 4 days during the Rathotsavam of Sri Ramadevaru temple is not an item for the performance of which Dharmadaya lands were given, the latter being intended purely for the support of the chattram and the Musafirkhana at the place.

24) The petitioner says that the income is scanty not exceeding Rs. 175/- per annum. It is seen from the Amildar's report of 26th May 1934 that if the lands are given for bare assessment, the collection would be Rs.335/8/- the latter no doubt includes lands which do not find a place

he Inam Register. On the whole it may be said that the Vahivatdar has not been collecting revised assessment even [illegible] endowed lands. When this is done, the income will perhaps be sufficient enough to maintain the buildings

Serial No.

25) As regards (viii) it may be stated that as Naib Raja Rao to whose share the management of the chattram etc., has gone has just attained majority and may not be able for some years to manage the affairs satisfactorily. There appears therefore to be no reason to set aside the orders already passed in the matter.

26) Action has not been taken under Section 18 of the Mysore Religious and Charitable Institutions Regulation, VII of 1927. The section contemplates that the mis-management should be gross, and should have been proved before the assumption of the management. The records do not contain a Mahazar or at least statements of the concerned parties drawn up before the Amildar when he held enquiry and submitted a report on 29th June 1930. Recently in a case before the High Court (Purushothamanar dagiri Gosay vs. Government) relating to the Gosayi Ghat temple lands (Seringapatam), the plaintiff was partl successful as the court held that the gross mismanagement was not proved by any of the Muzrai Officers. In fact the connected records had no mahazar, drawn up before the Amildar, clearly indicating that in respect of certain items, there was mismanagement.

In these circumstances it is a matter for consideration whether the orders passed may not be modified so as to allow of the management being handed over to Mr. Naib Raja Rao (Mr. N.H. Srinivasa Rao, High Court Judge now after the expiry of 5 years which time it may be

WP 01955—GPR—22,500—12-6-34

Re: the management of the Chattram and the Hindu endowed Choultry

(Tuz) File No. 192 of 1933. General and Revenue Secretariat

be expected that the defects noticed in the management will be set right. 2) In these cases the case may perhaps be heard. Orders are Solicited as to whether this case may be included in the list of cases to be heard on 26th May 35.

24/4/35

OFFICE OF THE SECOND MEMBER OF BOARD
27 APR. 1935
No. 6790.

II Member)

28) 4/4

29/4

RR
29/4/35.

29/4

29) Adjourned sine die as the 29th may 1935. The Advocate has been personally told that no further summons would issue in the matter.

25/5/1935.

25/5

To Commissioner as per orders communicated in

The Chief Secretary
to the Govt of Madras

Sir

(1) I am informed that
Mr. Venkatapathi Raju & 33-34 ~~34 & 35~~ which
was set down for hearing
today has been adjourned
& find that intimation is
not sent to me. I beg
that it may be posted on
29/5/35 date in the second week
of June or other date suitable
to the Court.

I am Sir
Your most
Obedient Servant
Hon. L. Venkatapathi Raju
20.5

Case in the Caste
High (Flag K).
Adjourned to Wednesday
the 29th May 1935.

(31) Submitted. If approved this case will be posted for hearing along with others when a date for hearing them is fixed.

29/5/35

II Member)

31) 30/5

30/

NOTE—Contn. Sheet.

13 Alug Review no 34 of 1933-34

File No. 192 of 1933 | General and Revenue Secretariat

Adjourned
Posted to Saturday the 10th August 1935. Since 2 Bdays

GS

2) The Case was called on Saturday
the 10th Aug 1935. Mr. M. Narayan Rao
Counsel for the Review petitioner was present
None of the respondents were present
Adjourned to Friday the 16th Aug & the Counsel
for the petitioner has been informed of this.
Fresh notice should be issued to the Respondents.
as the 1st Resp.t is reported to be a Major

Orders issued in proceedings on 10/8/35.
= This may be posted for 8 one day next month
GS 10/8.

S/21 10/8

posted to Monday the 23rd Sept.r 1935.

GS

3) The Case was called on Monday the
23rd Sept.r 1935. The Review petitioner
with his Counsel Mr. M. Narayan Rao
was present & none of the Counter petitioners
were present ~~& no one for the Govt~~.
The 3rd Cr Pet.r not served with notice
there his legal Guardian. Issue fresh notice
to the Cr Pet.rs, (thro the legal
Guardian in the case of 2nd & 3rd C P.rs

S/10
23/9
2
23/9

Adjourned to Friday the 22nd Nov.r 1935

Serial No.

38 The Case was Called on Friday The 22nd Nov 1935
The counsel for the revision petitioner was present
& was heard -

Sri Nuthi Raja Rao the 8th respondent
Counter petitioner has written to say that he
has resigned the management of the
Dharmadaya lands of the said charity
two years back. The Second respondent
Prahlada Rao for himself & as guardian for the minor 9th respondent
though served with notice was
not present in time when Case Called.

(40) Order reserved

JSL
22-11

Order -

41) I have heard the appellants
Counsel I do not think it Consider
that the order of Govt dt - 20-2-34
requires any modification The petn
is rejected

JSL
22/11

Dft. ruled
GS
25/11

OFFICE
HIGH COURT
22 NOV. 1935
No. 3579

Mandate order of
Class A. The
Madras Shift
Paper filed by
the Advocate
on 22/11 may be
returned to them

WD 01955—GPB—22,500—12-6-34

May File No. 192 of 1933. | General and Revenue Secretariat

Memo no 693 of 28/11/35 to Mr. M. Narayana Rao Advocate for the revision petitioner intimating the orders on the review Case filed by him. | 7

No 694 of 28/11/35 to Mr. Naik Raja Rao the first counter petitioner forwarding Copy of the above orders

No 695 of 28/11/35 to the 2nd Counter petitioner forwarding Copy of the orders passed in the Case

Memo no 696 of 28/11/35 to the Magistrate Commissioner returning records received from him on the subject.

B 3/12/35

ONE RUPEE

ONE RUPEE

GENL & REV SECRETARIAT
28 MAY 1934
MUZRAI BR

Muz 192-33-3

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE , BANGALORE.

Review

Muz. Petn. No.34 of 1933 - 34.

******

OFFICE OF THE SECOND MEMBER OF COUNCIL.
17 MAY 1934
NO 7776

Petitioner :-

Naib Venkata Rao, age 42 , son of late Mr. Naib Narayana Rao, residing at No.456, Chavadi Street, Old Agrahar, Mysore

(Counter -Petr No.I in the Court below)

VS.

Opponents :-

(1). Naib RajaRao, age 20, residing with Mr.N.K. Srinivasa Rao, Additional District Judge, Visvesvarapuram BangaloreCity.

(Cr-Petr No.2 in the Court below).

Presented by the advocate

(2). Naib Prahladarao age 17.

(3). Naib SubhanuRao age 15

2-3 minors by Guardian Mr. T. VenkobaRao, Retired Sub Judge, Basavangudi, Bangalore.

17/5

(4). The Government of Mysore

(Petitioner in the Court below).

UNDER SECTION 33 MYSORE RELIGIOUS AND CHARITABLE ENDOWMENTS REGULATION.

Petitioner begs on the grounds below set out to prefer this petition for review of Order No.1112-3 Muz. 192-33-3 dated 20/2/1934 directing that the Onatram at

chatram at ChunchanaKatte and the Inam lands belonging to it may be taken under Government management and prays that the order of the District Muzrai Officer, Mysore passed in Case No. 681 of 1929, approved in the abovesaid Government proceedings may be set aside. Petitioner became aware of the orders of the District Muzrai Officer and of Government on 6-3-1934 and in as much as the Government are now in seisin of the case this petition is preferred to this Honourable Court and the same is in time.

(2). This Petition relates to the chatram at ChunchanaKatte, which was built at a heavy cost by petitioner's paternal grand-father the late Naib Venkata Rao in about 1846. Government were pleased to endow some lands on the said chatram and according to the terms of the grant the usufruct of the land was meant for the upkeep of the premises. As a matter of fact the lands which are mostly dry yield only a net income of Rs 175/- per annum since almost the full dry assessment is levied by way of Jodi and the said sum of Rs 175/- is hardly sufficient to meet the current expenses for the establishment but as regard for the fair name of the founder petitioner's family have from time to time met from personal funds, the expenses of the annual samaradhana and five Utsavams and

and the like functions and also attended to the work of repairs. Even in the year 1926 a sum of over Rs 1,000-0-0 has been spent by Mr. N.K. Srinivasa Rao, Court Guardian of Naib Raja Rao , the first opponent herein - above.

(3). Upon the death of Petitioner 's father in 1925 an arrangement was arrived at between petitioner and opponents and as per terms of the registered document executed by Mr. N.K. Srinivasa Rao on behalf of the minor Naib Raja Rao, the management of the Chatram in question remained with him for and on behalf of the minor Raja Rao and it has been agreed that as soon as the first opponent attained - majority other and separate arrangements are to be made in respect and for the purpose of the management of the chatram in question. Raja Rao attained majority during the pendency of these proceedings in the Court below on or about 4-4-1933 but arrangements have not yet been concluded.

(4). On 22-1-30 the Muzrai Commissioner was of opinion that it is unnecessary to - continue the chatram and with a view to give effect to his observation he called upon the District Muzrai Officer to submit proposals for the resumption of the lands and for dis-possession of the first opponent who was then in management therefrom and of the tenants.

(5). When steps in this behalf were being pursued Mr. N. K. Srinivasa Rao being Guardian on behalf of the first opponent represented that the premises were kept and maintained in a very sound condition, that the chatram was a very useful and indispensable Institution, that the terms of the grant under which the lands were held ~~and~~ were acted upon in every particular, and that in the circumstances there was no sort of necessity to take any action. A report was eventually received after some correspondence and the Taluk Office were of opinion that execution of repairs at a cost of Rs 4,000-0-0 or Rs 5,000-0-0 was emergent, that the legal representatives of the founder were not willing to invest so much that they had permanently leased out Survey No. 4 of Sonabinakuppe one of the lands endowed and that the tenants in possession had been treating and alienating the lands as if they were their own property. Acting upon the aforesaid report Mr. N. K. Srinivasa Rao and the present petitioner were called upon within a period of six months from 11-6-32 when they were notified to redeem the alienations and execute the repairs and on the ground of non-performance of the foregoing conditions the learned District Muzrai Officer of Mysore has directed that the lands be resumed and that the affairs relating to the management of the chatram be taken over by Government, Even though the present petitioner expressed his readiness and willingness

willingness to manage the institution in all reasonable manner and also undertook to do the needful.

THE GROUNDS FOR THIS PETITION ARE AS FOLLOWS :- -

(1). The ~~&~~ rights of this petitioner to manage this Institution in preference to the opponents, he representing the eldest line of the founders, have not been considered and the order of the Learned Muzrai Officer does not show why Petitioner is deprived of his rights

(2). It is not apparent anywhere that the petitioner was given a reasonable chance to manage the Institution.

(3). As a matter of fact there is no word of complaint said or allegation made regarding alleged mis-management, action therefore under Section 17 of the Religious and Charitable Endowments Act has been not called for.

× Page 5 of the Reg.

(4). The proceedings were set afoot by the Muzrai Commissioner in pursuance of the scheme for abolition of all Anna Chatrams in the State but were diverted to an enquiry under Section 17 of the Religious and Charitable Endowment Regulation. As a matter of fact Government may in consulation with the parties before Court as well consider the question of discontinuing the chatram, if it is considered un-necessary, in which event the premises would revert to petitioner and opponent No. 1, otherwise their rights will be

be seriously jeopardised.

(5). In such an event petitioner and opponer will be entitled to hold the lands freed from their present tenure and as fully assessed and since they have been paying jodi thereon almost equivalent to the dry assessment, no further sum need be received or terms imposed. The lands are mostly dry and do not fetch more than Rs 175/- nett. The wet area of nine acres is dependant upon uncertain water supply and it is not of higher value nor does it fetch a higher return.

(6). Excepting the permanent lease of S.No.4 measruing 3 acres and odd , situated at ,Sonabinakuppe there has been no alienation or encumbrance in respect of any of the lands granted and the said permanent lease of Survey Number 4 is an act of prudent management done by the founder. It is easy even now to have the land redeemed and does not require payment of more than Rs 75/- which petitioner is ready and willing to make.

(7). It is immaterial in the circumstances to consider what the petitioner's tenants purport to do or say, since the land, they so long as they admittedly are tenants, cannot claim or have mere rights than petitioner's own in the lands endowed.

(8). The requisition to execute works of repair is also vague. It should have con-

tained

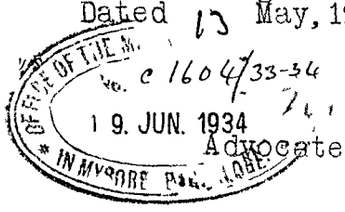
contained adequate details. To call upon petitioner and first opponent to spend Rupees 4 or 5 thousand is unfair and inequitable in view of the scanty income available.

(9). It is not true to say that one half of the chatram is likely to come down. Only the extreme right corridor is stated to be unfit by the enquirers. The same may be - permitted to be pulled down. The building as a whole is sound and fit and does not cost four to five thousand rupees as estimated. If the Taluk Officer is directed to give an estimate it could be easily attended to.

(10). On account of the circumstances that first opponent attained majority on 4-4-33 and it has not yet been possible to effect arrangements inter se between the petitioner and him in respect of the - management some delay in attending to & the needful has become unavoidable. It is inequitable ~~to and the same could not~~ to penalise the parties on that account.

Bangalore,
Dated 13 May, 1934.

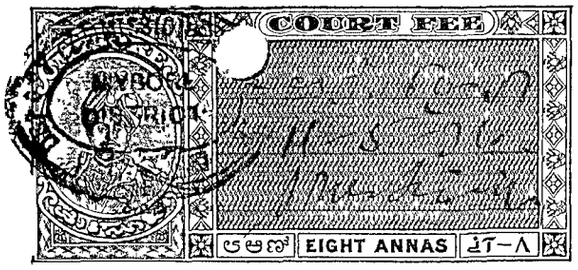
Petitioner.

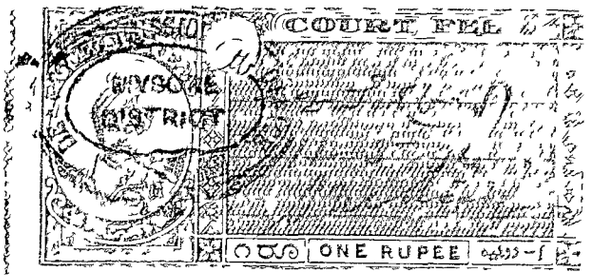


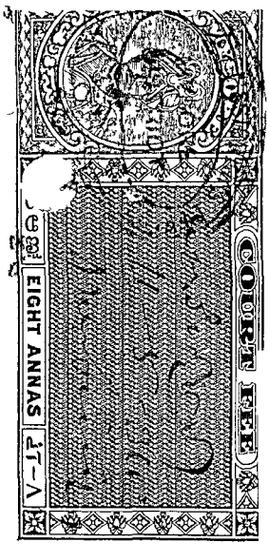
Advocate for Petitioner.

1646/Mis 5/34 & 18-6-34.
Forwarded with compliments to the Mysore Commissioner for Submission of record connected with the Case.
By order
for Secretary

very early







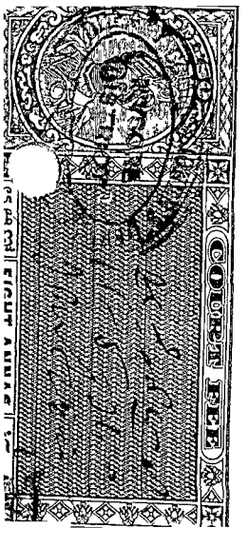
In the Court of the Deputy Commissioner, Mysore District

Miscl. case No: 681/29.

Present:- B. S. Kuppuswamy Iyengar

Deputy Commissioner.

Dated this 8th Day of November 1938.



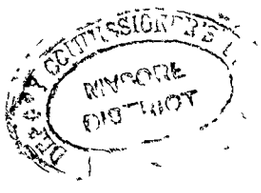
Petitioner

Government

Counter Petitioners

(1) Mr. Naib Venkatachar
Son of late
Narayana Rao, Mr.
T. Venkoba Rao, Retd.
1st class Magistrate, Basava-
-gudi, Bang'lore.

(2) Naib Raja Rao,
Minor by Court Guardian
Mr. C. K. Srinivasa
District Judge
Bangalore Division



This is an enquiry regarding
Dharmadaya Inam lands situate
Rao's Chattram at Channenahalli

The above chathram Ghenchanakatte was built.
late Mrs. Naib Narayana Rao and an extent of 388 acres
5 guntas of wet and dry lands have been endowed to it
by government for its maintenance, and other charities as
Dharmadaya Inam

(2) Consequent on the abolition of all government Annachathrams
from January 1927, the Muzrai Commissioner while reviewing
the statement of Private Chathrams endowed with Inam
lands in the State, observed on 22-1-30 that among similar
private Chathrams, it was only the Chathram at Ghenchana-
Katte that was considered unnecessary and that the Deputy
Commissioner should submit proposals for the resumption of the
Inam lands, making arrangements, in the meantime, to dispossess
the present holders of these lands, and to lease them temporarily
The Sub Division officer was directed to take action and to
submit proposals accordingly.

(3) Mrs. N K. Srinivasa Rao, Court Guardian of minor Naib
Raja Rao, (counter petitioner 2) petitioned the Deputy Commissioner
on 6-5-30 stating that the Amildar of Yedatore had been
selling the lease of the inam lands without notice to him
as to the interference with the godi lands which had been
under the management of minor Naib Raja Rao and his
ancestors eversince they were endowed for over 70 or 80
years, that the conditions of the grant are being fulfilled
and the Chathram was repaired at a cost of Rs. 1000/-

during 1925-26, that the Chattram was very useful to the large No: of pilgrims resorting to the place during the Rathotsavam of Sri Ramadasu and other times, being the only public building, that the Minor and his men had been conducting Sankarpane to the people during the Jatra, and that for these reasons the management of the Inam lands might not be disturbed and the Amildar instructed to stop the sales of ~~the sales of~~ the lease of inam lands.

(4) Mr. N.K. Srinivasa Rao was replied on 16-5-1930 that he should approach the Munsif Commissioner's orders both as regards the assumption of management of Inam lands and the running of the Chattram were definite and clear. The Munsif Commissioner was also informed of the facts and the Amildar, yedalore, directed to report the result of action taken regarding the lease of lands.

5) On the petition of Mr. N.K. Srinivasa Rao addressed to the Munsif commissioner, the latter called for a report, after enquiry. The Amildar was asked to enquire and report and directed that pending enquiry further action to resume the lands should be stayed.

The Amildar reported that a portion of the Chattram building required repairs as it was about to fall, that the relations of Mrs Naib Narayana Rao undertook the repair of the dilapidated portion 3 or 4 years ago but they did not do the work completely, that since then no further repairs had been

effected, and that Sankarpane had been regularly conducting every year for 3 or 4 days during the Pallivetta of the Temple. As regards the lease of the lands, the Amildar reported that the tenants were informed about the previous order of the Municipal Commissioners directing resumption of the lands, that they stated in reply that they had been in enjoyment of the lands after purchasing them by sale deed, from a very long time paying the godi and cesses due to Government, and the Kandayam is the founder of the Chettram and his descendants and that some of them had stated that they could not give up their long enjoyed right of the lands. The Amildar further stated that when the sale of the lease was held no one came forward and offered any bid and that a great portion of the Inam lands had been alienated.

(6) The Amildar in his subsequent report dated 11-4-31 stated that the accounts maintained by the present agent was not satisfactory in as much as all the endowed lands were not shown and the arrears of rent outstanding against the tenants was not also noted, that the tenants in view of their long possession have either mortgaged or sold the inam lands to other persons treating them as if they were their own private properties, and that as regards the condition of the building, it had been neglected and the cost of repairs thereof would go up to 4 or 5 thousand rupees.

The Amildar on special duty had reported that one of the lands S. No. 4 of Sanabinakuppe village measuring 3 acres 13 guntas had been permanently leased out to Bhanna - veera Shetty and another by Mr. Narayana Rao, the Manager, during 1892 for a cash rental equal to the assessment.

The Sub Division officer, Mysore, reported on 7-7-31 that the permanent lease created by the manager ought be cancelled and the lands ordered to be leased out by auction, and that in the interest of the Bhattram the entire management of the inam lands might be taken over by Government and a committee of Dharmadarsis appointed on which the present management might be given representation.

The facts were reported to the Munzai Commissioner in Deputy Commissioner's letter No. H. 681/29 30-7-31 with the observation that if the Bhattram was to continue, it should be under the management of Government.

The Munzai Commissioner replied in his letter No. C 855/27-28 dated 12-3-32 that Mr. R. K. Srinivasa Rao, guardian of the minor Naib Raja Rao, might be called upon to redeem all the alienated lands, lease them and to execute the necessary repairs within a period of six months and if he failed to do so, the lands might be resumed. Accordingly a notice was sent to Naib R. K. Srinivasa Rao. Naib Venkata Rao

vs. Naib Narayana Rao, (Present counter petitioners 2 and 1 respectively) on 11-6-1932.

No reply was received from either of them though the period of six months elapsed. The matter was reported to the Inam Commissioner and he in his letter No. 1504/32-33 dated 4/8.7.33 has instructed that as the requirements of Section 17 of the R & D. Institutions Regulation VII of 1927 have been met, a formal order for taking over the Institution under the management of Government might be passed by the Deputy Commissioner under Sec. 18 of the above Regulation and reported for obtaining the approval of Government.

Both the present counter petitioners have been issued with a Notice to show cause as to why the management of the inam lands should not be resumed by Government.

Mr. T. Venkoba Rao, retired Sub-judge, Bangalore, and guardian of the two minor sons of counter petitioner (1) has petitioned on 16-9-33 that the management of the Ubhattram and its properties may be taken under the control of Government for a period of 5 years and that the same may be restored to the minors at the termination of the period.

Mr. N. Srikantiah counsel for counter petitioner (2) has also filed a statement on 18.10.33 to the effect that the latter is unable to manage the affairs of the Ubhattram, and that any arrangement deemed fit by Government may be made

in consultation with counter petitioner (1).

Mr. G. Venkata Rao, counsel for the 1st counter petitioner represented to the court on 4-11-33 that the management of the Chattram and the endowed properties may be vested with the counter petitioner (1) subject to his furnishing suitable cash security as may be fixed by the court

— -o— —

Order.

According to the partition effected in the family, the management of the Chattram has come to the share of the 2nd counter petitioner. He has filed a statement to the effect that he is too young and lacking in capacity to manage the affairs of the Chattram and that if the 1st counter petitioner is willing to look after the Chattram and if he is considered fit to do so, he has no objection to the management being vested in the 1st counter petitioner. The guardian of the 1st counter petitioner's sons wants government to manage the affairs of the Chattram for a period of 5 years. It was requested on behalf of the 1st counter petitioner that he may be entrusted with the management. It is not in the interests of the endowment to do so. I therefore direct under Section 18 of the R and E Institutions Regulation XX subject to approval by Government that the lands endowed to the Chattram be taken over to Government management and that the affairs of the Chattram be managed by Government, as there is gross mismanagement.

Sd/ C.S. Kuppuswamiengar
Deputy Commissioner.

"Copy"

By order
Kumarasimha Ayyangar
Amanat Head Assistant
11.5.34

compared
Klu
2.5.34

Copy applied on. 28-4-34.

" ready on. 28-4-34

" delivered on. 30-4-34

Nos of words 1512

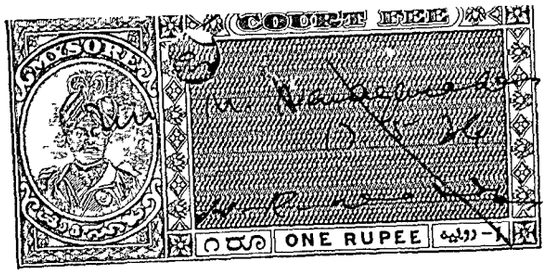
Carriage Rs. 2—0

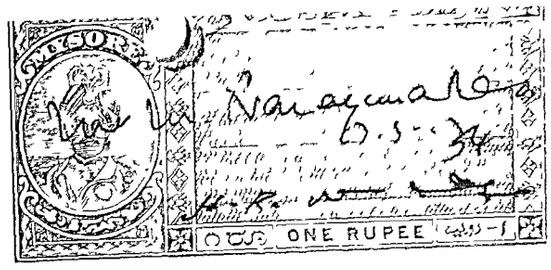
Stamps 0—8—0

Paper cost 0—0—3

2—8—3

Settled & Credited on. 11—5—34





In the Court of

No. OF 193 —193

} *Vs.* {

the above named, do hereby nominate and appoint **Mr. M. NARAYANA RAO, M.A., B.L., Advocate,** in the above suit and do hereby empower the said **Advocate** to appear for and on behalf in the above suit, to take all steps which may be necessary on behalf arising out of or in connection with the above suit either during progress or after its decision, to sign and subscribe his name to any document which he may deem proper, to execute any decree that may be passed in favour and to receive out of the Court any refund of money which may be lodged or become payable or receivable on behalf and on receipt thereof to grant receipt or other sufficient discharges for the same, to withdraw, compromise or refer to arbitration the said suit, to appoint one or more substitutes and to act and perform all other matters and things relating thereto or connected therewith, to represent in matters relating to the same and to act as fully and effectually to all intents and purposes as might do if personally present and did the same. And do hereby agree to pay all fees, costs, charges and expenses which may be incurred and to allow, ratify and confirm whatsoever the said **Advocate** shall lawfuly do or cause or procure to be done by the virtue of these presents.

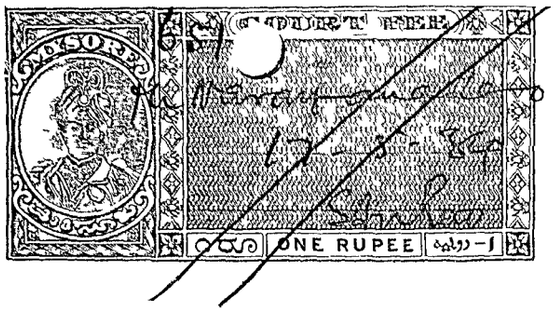
In witness whereof have hereunto set hand this day of 193

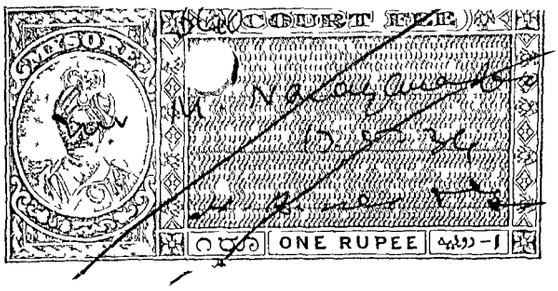
ACCEPTED.

Advocate for

Signed before me by the executant who known to me

14 8-50 The Bangalore Press





92-33

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE,

BANGALORE.

OFFICE OF THE SECOND MEMBER OF GOVT. COUNCIL.
17 MAY 1934
NO. 7772

Muzrai Petition No. of 1933 - 1934.

GENL & REVENUE SECTION
1273
28 MAY 1934
MUZRAI DEPT.

****

Petitioner :- Naib Venkata Rao, age 42 son of late Mr. Naib Narayana Rao, residing at No. 456, Chavadi Street, Old Agrahar, Mysore.

(Counter -Petitioner No.1 in the Court below.)

Versus.

Opponents :- 1. Naib RajaRao, age 20, residing with Mr. N.K. Srinivasa Rao, Additional District Judge Visveswarapuram, Bangalore City.

(Counter- Petitioner No.2 in the Court below).

2. Naib Prahladarao, age 17

3. Naib Subhanu Rao, age 15.

2-3 minors by Guardian Mr. D. VenkobaRao, retired Sub Judge, Basavangudi, Bangalore.

4. The Government of Mysore.

(Petitioner in the Court below)

Stay order cannot be granted

Sd 17/5

* * * * *

Under Section 39(3) of the Mysore Religious & Charitable Endowments Regulations.

The petitioner begs to state as follows:-

1. He has preferred the accompanying petition to this Honourable Court for setting aside of the order of the Learned Muzrai Officer dated

directing the resumption of the Inam lands endowed on the Naio Narayan Rao 's Chatram at Chunchankatte and of the management of the affairs of the Chatram and incidentally for review of Government proceedings No.1113-5 Muz. 192-33-3.

(2). The said order is unfair and - opposed to law and in the application the appellant has set out the grounds and the same will show that appellant is entitled to relief.

(3). In the meanwhile stayed the petitioner be dispossessed very serious embarassment will be occasioned to petitioner.

Wherefore he begs that during the pendency of the Appeal , execution of the order appealed against may be S T A Y E D.

Bangalore,
Dated: 3 May, 1934.

Petitioner.

Advocate for Petitioner.

17/5/34

GENERAL AND REVENUE SECRETARIAT

D.O. No. 573 Dated, Bangalore, 25th May 1934.

Mes 192-33-5 30th

Dear Sir,

With reference to petition dated 13.5.1934, filed by you on behalf of one Mr. Naib Venkata Rao No.456, Chavadi Street, Old Granar - Mysore, praying for a stay of the orders issued directing the taking over by Government of the Management of the Naib Chattram at Chunchanakatte, Vedatore Taluk and the Dharmadaya Inam lands endowed thereto, I am directed to inform you that the request of the petitioner for a stay of the orders already passed cannot be granted.

Yours faithfully,

Sd/- S. Shamanna,
Secretary to Government,
Financial Department.

F.M.F.4/29.5.34.

To M. Narayanarao Esq B.A. B.L. P.T.O.
Advocate
Bangalore City

Memo No. 1574/M93 Dated, 29th May 1934.
30th

Copy of the foregoing is forwarded to Mr. Naib Venkata Rao, No.456, Chavadi Street, Old Agrahar, Mysore.

By Order,

K.N. Krishnamurthy

For Secretary to Government
Financial Department.

M.M.P.3/23.5.

SUBJECT .....

.....

.....

Section

File No. 192-33

Serial No. 5

Diary No. of letter replied to .....

No. 1573

To Mr. M. Varadaraja Rao Esq.
Advocate Bangalore

General and Revenue Secretariat

( )

the *193*

Date of issue 30/5/34

Signed by K.V. Krishnaswamy Iyer

Dear Sir,

In reply to your letter dated 13.5.34 forwarding an application of one Mr No 456. Shree old Agrahara - Mysore Province for a stay of the order dated 8th instant directing (copy of the minutes) the Nadu Chairman at Yedatore Chunchanakatte & the Dharmadarsi of the Endowment etc to [illegible]

List of enclosures .....

Copied by .....

To the General Secretary to the Govt of His Highness the Maharaja of Mysore

GENERAL & REV. SECRETARIAT
5-48
14. NOV. 1935
M. Z. I BR

14 NOV 1935
Dewan

Your notice dated 6th Nov 1935 received from your office 1938-34 Muzarai no 34 asking to be present in the office. I wish to state that I have nothing to do with the affairs of the Charities of the Choultry of Chunchankatte Krishnaraja nagar taluk. I have resigned the management of the lands of the said Choultry two years back. and referred the same to the Govt Muzarai Dept. I have nothing to say regarding that

Yours faithfully
N. Raja Rao

Dated 13. 11. 35.

604 Rue 2 7½ 33-34

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore

FROM

N MADHAVA RAU Esq, B A, B L,
Muzrai Commissioner in Mysore,
Bangalore

243
30 AUG 1934
MUZRAI DEPT

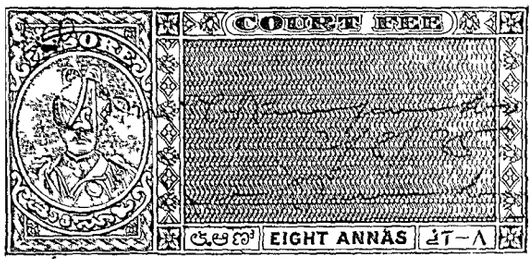
Aug 192-33-6

TO

Secretary to the Government of His Highness
the Maharaja of Mysore

Department

SIR,



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

o f

M Y S O R E.

Muzrai Review Case No.34/- of 1933 - 34.

* * * *

Petitioner: Venkata Rao.

V e r s u s.

Opponents : Raja Rao and others.

M E M O.

1st Opponent having attained majority, notice of the petition may go to him as such. Rs.0-8-0 stamp is produced for this purpose.

Bangalore City,
12th Aug. 1935.

Advocate for petitioner.

COURT FEE EIGHT ANNAS

1 - 393 1935 MUZRAI BRANCH

GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE.

Muzrai Revision petition No.34/35-4
of
1934 - 1935.

Petitioner :- Venkata Rao.

---:V E R S U S:---

Opponents. :- (1) Raja Rao & others. (2) Naik Prahladarao (3) Naik Subbanna Rao

****
M E M O.
****

Petitioner has since learnt that second opponent who is now a major is appointed as official guardian of the minor third opponent. Notice of this petition has to be served on the second opponent as guardian for opponent no.3. It need not go to Mr.T.Venkata Rao, Retired Judge. 0-8-0 (eight annas) stamp is produced for such notice.

Bangalore City,
27th Sept.1935.

Advocate for the petitioner.

Memo No 693/Jours (92-33) dt 28-11-3
2nd
Copy to the Counsel for the Ryotwari

Memo No 694/Jours dt 28-11-35
Copy to Naik Ranga Rao, the for

Memo No 695/Jours dt 28/11/35
Copy to Prahlada Rao
Guardian for the 2nd

D. No 575

Rev. 21]

Before the Government of His Highness the Maharaja of Mysore.

May Review ~~Appeal~~ No. 34 of 1933-34

Review Petitioner
~~Appellant.~~

Naik Venkata Rao.

Counter Petitioners
~~Respondent~~

(1) Naik Raja Rao -

(2) Naik Prahlada Rao

(3) Naik Subbanna Rao

Subject.

Regarding a modification of Govt. order No. M/2-3/May 1932-33-28 dated 20/2/1934 - Sanction for the assumption of the Management by Govt. of the Chattram at Channakana halli, Krishnarajanagar Tq & the Thamadaraya Inam (- - -) belonging to the ~~petitioner~~ Petitioners - Review petitioner therefor, So as to give them an opportunity to manage the said Chattram both as lands

---

The case was called on Friday the 22nd Nov 1935. The Counsel for the review petr was present & he heard - Naik Raja Rao, the first Counter petr, has on 13.11.35 written to Govt. that he resigned the Management of the Chattram both as lands about two years back. The Second Counter petitioner for himself and as guardian for the minor Counter petitioners Subbanna &

WD 0533—GPB—750—21-7-27

Writ petitioner was not present in Court, but Came late

order

Gone do not consider that circumstances of 20th Feb 1934 requires any modification - Mercy petition rejected

Memo No 693 Judl (192-33-7) dt 28-11-35
Encl Two
Copy to the M. A-K-L Advocate
for the petitioner

Memo No 694/Judl dt 28-11-35
Copy to the Naib Rao - The 1st Cantonment Magistrate
residing with Mr. N. K. Srinivasa Rao
High Court Judge. Vis Mercara for information

B.O

25/11

for Gen Sec

Memo No 695/Judl dt 28-11-35
Copy to Mr. Prahlada Rao, residing on behalf of himself & as a guardian for the minors
Central Coffee - Hotel. Bangalore City

B-O

27/11

for Gen Sec

Memo No 696/Judl dt 28-11-35
Copy to M.C. Returning Record (received)
End Record

with his letter No 1604/33-34 dt 28.8.1934
the Subject.

B-O

27

for Gen Sec